

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

PRESTIGE FUND A, LLC; PRESTIGE FUND A II, LLC; PRESTIGE FUND A IV, LLC; PRESTIGE FUND A V, LLC; PRESTIGE FUND A VI, LLC; PRESTIGE FUND A VII, LLC; PRESTIGE FUND A IX, LLC; PRESTIGE FUND B, LLC; PRESTIGE FUND B II, LLC; PRESTIGE FUND B IV, LLC; PRESTIGE FUND B V, LLC; PRESTIGE FUND B VI, LLC; PRESTIGE FUND B VII, LLC; PRESTIGE FUND B BTM I, LLC; PRESTIGE FUND D, LLC; PRESTIGE FUND D III, LLC; PRESTIGE FUND D IV, LLC; PRESTIGE FUND D V, LLC; PRESTIGE FUND D VI, LLC; PRESTIGE FUND D BTM I, LLC; WF VELOCITY I, LLC; WF VELOCITY FUND IV, LLC; WF VELOCITY FUND V, LLC; WF VELOCITY FUND VI, LLC; and WF VELOCITY FUND VII, LLC,

Plaintiffs,

v.

PATHWARD, NATIONAL ASSOCIATION,

Defendant.

STIPULATION TO REMAND AND CONSENT ORDER

WHEREAS, on February 26, 2025, Plaintiffs initiated the above-captioned action against Defendant in the Court of Common Pleas of Lancaster County, Pennsylvania;

WHEREAS, on March 17, 2025, Plaintiffs served Defendant with a copy of the Complaint;

WHEREAS, on March 19, 2025, Defendant removed the civil action pursuant to 28 U.S.C.

§ 1441 from the Court of Common Pleas of Lancaster County to this Court (Dkt. 1);

WHEREAS, in its Notice of Removal, Defendant stated that this Court has original jurisdiction over the action based on 28 U.S.C. § 1332 given that, among other reasons, Defendant is a citizen of South Dakota and, on information and belief, Plaintiffs, all of whom are limited liability companies (“LLCs”), are not citizens of South Dakota;

WHEREAS, following removal, Plaintiffs provided information that indicates a member of a Plaintiff LLC is a citizen of South Dakota;

WHEREAS, based on Plaintiffs’ representations, the parties have agreed that the action should be remanded to the Court of Common Pleas of Lancaster County;

WHEREAS, pursuant to 28 U.S.C. § 1446, Defendant expressly reserves its right to subsequently remove this action if it is determined that the case is one which has become removable;

WHEREAS, each party shall bear its own fees and costs with respect to the removal and subsequent remand of this action.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, that the above-captioned action be remanded to the Court of Common Pleas of Lancaster County, Case Number CI-25-01270.

Dated: April 1, 2025

/s/ Joshua J. Voss

Joshua J. Voss (PA 306853)
 Matthew H. Haverstick (PA 85072)
 Samantha G. Zimmer (PA 325650)
 KLEINBARD LLC
 Three Logan Square
 1717 Arch Street, 5th Floor
 Philadelphia, PA 19103
 Tel.: (215) 568-2000
 Email: jvoss@kleinbard.com
 Email: mhaverstick@kleinbard.com

/s/ Brian M. Nichilo

Brian M. Nichilo (PA 313786)
 TROUTMAN PEPPER LOCKE LLP
 3000 Two Logan Square
 Eighteenth and Arch Streets
 Philadelphia, PA 19103
 Tel.: (215) 981-4000
 Email: brian.nichilo@troutman.com

Ghillaine A. Reid

TROUTMAN PEPPER LOCKE LLP

Email: szimmer@kleinbard.com

Attorneys for Plaintiffs

875 Third Avenue
New York, NY 10022
Tel.: (212) 704-6198

Email: ghillaine.reid@troutman.com

*Attorneys for Defendant Pathward, National
Association*

IT IS ON THIS 2nd day of April, 2025, SO ORDERED.

BY THE COURT:

/s/ Jeffrey L. Schmehl
Jeffrey L. Schmehl, J.